



September 2015



Wyoming Fun Fact:

Who was the first woman Justice of the Peace in Wyoming?

Esther Hobart Morris began her tenure as Justice in South Pass, WY February 14, 1870.

Fiscal Year 2016 will begin October 1st. Any new per diem rates can be found at <http://www.gsa.gov/portal/content/110007>

U.S. DISTRICT CLERK'S COURTERLY

NEW EMPLOYEES

Please welcome the following new employees to the District:

Courtney Amerine, Term Law Clerk to the Honorable Chief Judge Freudenthal

Matthew Peterson, Term Law Clerk to the Honorable Chief Magistrate Rankin

Sean Larson, Term Law Clerk to the Honorable Judge Johnson

Holly Tysse, Term Law Clerk to the Honorable Judge Skavdahl.

REMINDER TO COUNSEL:

Please remember that JERS submissions are required to be provided to the Office of the Clerk of Court a minimum of five (5) days prior to the commencement of trial. Early submissions are always welcome, but they must be complete and not a partial submission with more to follow.

Please be mindful when providing the exhibit descriptions on the "Exhibits.txt file" with your JERS submission, that these are the descriptions that the jury will see when using the JERS system to review the exhibits during deliberations. Please use impartial descriptions as counsel for all parties will be responsible for reviewing and objecting to any descriptions they feel are problematic prior to the release of evidence to the jury.

As this is still a new system, please see the JERS section on our website for basic information and instruction on the requirements of the program. If you have any questions or concerns that are not answered by the website, please contact the Office of the Clerk of Court.



The U.S. District Court - District of Wyoming is excited to announce the implementation of the Jury Evidence Recording System (JERS). JERS was created in the U.S. District Court for the Western District of North Carolina to provide an efficient method to provide evidence electronically to a trial jury for use during deliberation. While the District of Wyoming is new to JERS, many other federal courts across the nation have been using the system since 2009. Evidence files will be given to the Judge's Courtroom Deputy ahead of trial on a CD or flash drive and uploaded into JERS to work with during a trial. The courtroom's trial presentation system can also work with JERS to input additional evidence into the system such as pictures marked by witnesses on the stand.

JERS provides easy access to evidence during jury deliberation electronically, reducing the need for the Courtroom Deputy and jurors to handle physical evidence. Jurors can view the evidence multiple times, rewind videos and zoom in on pictures. All in all, we believe the implementation of JERS in this district will provide a number of advantages to court personnel, jurors, and counsel.



New language in all criminal Discovery Orders and Civil Initial Pretrial Orders

The language set forth below has been added to all criminal Discovery Orders and all civil Initial Pretrial Orders in the District of Wyoming. The JERS system is to be utilized in this district effective immediately.

THE COURT IS IMPLEMENTING A NEW SYSTEM FOR ELECTRONIC SUBMISSION OF EXHIBITS TO THE JURY. THE JURY EVIDENCE RECORDING SYSTEM (JERS) ALLOWS JURORS TO REVIEW EVIDENCE (DOCUMENTARY, PHOTO, OR VIDEO EXHIBITS) ON A LARGE FLAT PANEL SCREEN DURING DELIBERATIONS. ATTORNEYS SHOULD PROVIDE THEIR TRIAL EXHIBITS IN ELECTRONIC FORMAT ON A USB DRIVE, DVD, OR CD TO THE OFFICE OF THE CLERK OF COURT A MINIMUM OF FIVE (5) DAYS PRIOR TO THE START OF TRIAL. COUNSEL IS REQUIRED TO PROVIDE THEIR EXHIBITS IN THE FOLLOWING ELECTRONIC FORMATS:

All electronic evidence should be provided using the following formats:

Document and Photographs: .pdf, .jpg, .bmp, .tif, .gif

Video / Audio Recordings: .avi, .wmv, .mpg, .mp3, .mp4, .wma, .wav

Regarding the file size of electronic evidence, individual files should not exceed 500MB. If possible, exhibits approaching or exceeding this size limit should be separated into multiple files. PARTIES MAY OBTAIN ADDITIONAL INFORMATION REGARDING THE SUBMISSION OF ELECTRONIC EXHIBITS BY CONTACTING THE CLERK'S OFFICE.



DOCKETING TIPS

When filing sentencing related documents such as Objections to the Presentence Report, select both the US Attorney and the Defendant to receive access on this screen:

Pick all parties that need access to the document.

Select the Party:

USA [pla]

Elliott, William Mark [dft]

Next

Clear

Use the shift key to select consecutive parties. Use the control key to select non-consecutive parties.

Designation As Non-Public Document

If a document is designated as non-public for a reason other than containing personal identifiers, it is suggested that you explain the reason within the document, or as a footnote to the document.





The Geekbyte2





REMINDER TO COUNSEL:


Please remember to print to PDF any documents you will be filing in CM/ECF to prevent them from being edited. See our website for more information.


<http://www.wyd.uscourts.gov>


Printer


 **CHY-CLK-XEROX7855 on K2**
Ready


 **CAS-CLK-XEROX7845 on GANNETT**
Ready


 **CHY-CLK-9050 on K2**
Ready


 **CHY-CLK-C5550 on K2**
Ready


 **CHY-CLK-C5550PS on K2**
Ready


 **CHY-CLK-MB-3015 on K2**
Ready

 **CHY-CLK-XEROX7855 on K2**
Ready

 **Yel P3015n Chambers on YEL-DC1**
Ready

 **Adobe PDF**
Ready

 **DYMO LabelWriter 450**
Ready

 **Fax**

Printer Status
Status: Ready
Type: Adobe PDF Converter
Where: Documents*.pdf

COURT REPORTER CORNER



Anne Bowline

Anne was born at Edwards Air Force Base in California. After several moves, her family returned to southern California, where she finished high school. Anne's career path was practically pre-ordained, as she had decided at the ripe old age of 12 that she wanted to be a court reporter, and attended Merit College of Court Reporting in the San Fernando Valley.

She and her husband, Scott, moved to Casper in 1994 and have lived and worked there ever since, an astonishingly long stretch for any former Air Force kid. Scott is a captain on the Casper Fire Department, and their yellow Lab, Orion, graciously shares his home with them. Anne loves baking, boot camp classes at the gym, and spending time outdoors hiking, biking, and camping.

She is also busy with the National Court Reporters Association, where she is partway through a three-year term as a Director on the Board. She holds the Certified Realtime Reporter and Registered Merit Reporter certifications from NCRA.

Anne spent 20 years as a freelance court reporter covering the entire state of Wyoming before joining the staff at the Casper federal courthouse last September. She enjoys the challenges and the sense of community the federal court provides and feels she has the best job in the best courthouse anywhere!





SIDEBAR

The Profile of a Wyoming Lawyer



Dan Blythe

I was born in 1950 to a college professor and housewife mother in Wichita, Kansas. I was raised by excellent parents who always wondered what they did wrong when I became a criminal defense attorney. Despite some of my parents' misgivings I did receive their praise even as they scratched their heads.

Graduating from Wichita State University in 1973 as a history major I attended law school at Washburn University School of Law. Washburn was the school suggested by my best friend's father who graduated from Washburn and practiced law in Wichita. This attorney (Russel Shultz) was a most impressive man who towered above all others when he walked into the room. He was the center of attention and the only person I knew who could snore in church without criticism, although most Sundays found him on the golf course. Mr. Shultz practiced criminal defense. Much to my surprise Mr. Shultz stopped to visit me at the law school. Even more of a surprise was that for the first time I saw that Mr. Shultz was only 5 feet tall rather than the towering giant I had known for about 17 years. I was very impressed.

Following graduation in 1977 I took the Kansas bar and moved to Wyoming where my wife had secured employment. I was admitted to Kansas in 1977 and admitted to Wyoming in 1978.

My first position was with Sigler and Pauli in Torrington, Wyoming where we engaged in a general civil practice including real estate, agricultural issues and water law. I really enjoyed that work and that firm. I would have liked to stay in Torrington but my dearly beloved became great with child and she lived in Cheyenne. Off to Cheyenne where I started a private practice and then added a part-time position as a State Public Defender for a number of years. It was great to work with Leonard Munker as public defender, King Tristani as the deputy as well as learn from Tom Carroll as prosecutor and his great staff. I maintained that private office practicing a general civil and criminal practice with John Rogers, Rick Wolf and Linda Steiner and then with Rocky Edmonds and Dennis Grant until 2006.

I tried my first jury trial with Judge Kerr in July of 1979. Unfortunately "justice was served" and I took my first loss as a great education. I tried more trials in the State, Military, and Federal Courts for the next 27 years before I joined the Federal Public Defenders office. The Public Defender's office in Wyoming is a branch of the Colorado Federal Public Defender. It is amazing to see the resources that the two office can bring to a problem. Although the defense system is the poor person justice system and we feel that we are often on the short end of the finances, the minds within the Federal Defender system are great which makes this office the best criminal defense firm that I have ever been involved in. One call brings a host of information and support. Jim Barret, David Weiss and Grant Smith and our office support staff are excellent to work with as are Ginny Grady, Rick Williamson, Veronica Rossman and the attorneys in the Denver office.

Most of the time the defense attorney's job is to pick up the pieces and try to shape the client's future as best we can. Our clients are as diverse a group of people as could be found in any population. Many are a joy to work with and some are definitely a challenge. Most of the clients we are appointed to have horrible backgrounds or tragedy in their lives that seem to have shaped their present situation. We see addiction first hand. We see the results of abuse and neglect. We see the native or 1st nation's population from the Wind River Indian Reservation. Since the Federal Court has jurisdiction for major crimes on the reservation our case load includes felonies from murder to theft. The fun part of a federal public defender's job is that there is no boredom. The government pays me to oppose them. If I do not do a good job opposing my employer I will "get the boot". We are in a unique situation. Of course there is always the joy in winning and unfortunately we do experience the agony of defeat all too often.

The Federal System and the State system have similar but different challenges and rewards. The Federal courts are supportive of the defense role as was the state. At this point in my practice I enjoy the federal system in Wyoming. The Federal clerk's office is very supportive of the federal public defender's office. The courtesy and organization of the office is very much appreciated during jury trials and is responsive to the families of our clients who are very lost in the system. Although I feel lost most of the time, I at least know that the courtroom is on the second floor except when it is on the first floor. I always feel the joy of a victory with a defense verdict but, as so often happens, I find myself saying "worny dirds" when the case does not go my way. The battle and challenge keep me coming back.

In every position that I was privileged to hold as an attorney I was always proud to be a Wyoming Lawyer. The attorneys I worked with or against in the civil practice and the attorney that I work with or against in the criminal practice are by and large the people with the highest profession standards and finest ethics. This makes the practice much easier. I think that if more people understood the criminal practice and the challenges with the adventures they would not scratch their heads at the idea that one could find joy and an intellectual challenge in the criminal practice.

When I am not in the courtroom or toiling in the office I am riding my motorcycles in the U.S., Canada, or on a solo motorcycle trip to Mexico, Guatemala, El Salvador, Honduras and Belize. I am working on my 1929 Model A ford which is now running. In the past I was a team roper and privileged to rope with my two sons. I am active in Cheyenne Frontier Days generally working with cattle during the rodeo and slack. I am on the Board of Directors of the Cheyenne Frontier Days Old West museum. My best times are spent with my two sons and my grandson.

Naturalization Ceremony
Yellowstone National Park
September 9, 2015
The Honorable Magistrate Judge Mark L. Carman Presiding



YELLOWSTONE NATIONAL PARK NEWS RELEASE

New Citizens Sworn in at Naturalization Ceremony in Yellowstone

Yellowstone National Park hosted a ceremony for 37 immigrants as they became official US citizens on Wednesday, September 9. The Honorable Mark L. Carman, United States Magistrate Judge for the District of Wyoming, held court at the base of the Mammoth Hot Springs terraces near historic Fort Yellowstone under blue skies on Wednesday morning.

Judge Carman presided over the naturalization ceremony which included family and friends, a mounted color guard, the national anthem sung acapella by National Park Service ranger Michael Breis, and a taped audio address by President Barack Obama. Guest speakers were Lori Scialabba, Deputy Director of the United States Citizenship and Immigration Services, Yellowstone National Park Deputy Superintendent Steve Iobst, and Assistant US Attorney Lee Pico. Sara Thane, a representative from the office of United States Senator Jon Tester, also delivered remarks on behalf of the senior senator from Montana.

“Yellowstone National Park is proud to host the naturalization ceremony because national parks are places that belong to every American citizen. We invite our newest citizens to visit, to learn, to volunteer, and to have fun in our national parks. National parks have been called ‘America’s Best Idea’, and all citizens should learn about the shared heritage and shared stories that have been preserved for future generations,” said Yellowstone National Park Deputy Superintendent Steve Iobst.

The 37 immigrants sworn in during the ceremony originated from 22 different countries: Belarus, Brazil, Cameroon, Canada, China, Columbia, Ecuador, Germany, Guyana, Guatemala, Iraq, Lebanon, Lithuania, Mexico, Moldova, Nepal, Philippines, Romania, Thailand, Ukraine, the United Kingdom, and Vietnam. They all currently live in Idaho, Montana, and Wyoming.

Naturalization is the process by which foreign citizens or nationals attain US citizenship after fulfilling the requirements established by Congress. After naturalization, foreign-born citizens enjoy nearly all the same benefits, rights, and responsibilities that the Constitution gives to native-born US citizens, including the right to vote. According to statistics from the US Citizenship and Immigration Services, in fiscal year 2014, nearly 655,000 immigrants became naturalized US citizens nationwide.